



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/890,363	11/02/2001	David Laurence Becker	HO-P02246US0	1593
53897	7590	07/17/2006		
DUANE MORRIS LLP 101 WEST BROADWAY SUITE 900 SAN DIEGO, CA 92101-8285			EXAMINER MCGARRY, SEAN	
			ART UNIT 1635	PAPER NUMBER

DATE MAILED: 07/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office

Address : COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

*h*

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

09-890-363

EXAMINER
----------

ART UNIT	PAPER
----------	-------

20060712

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

SEE ATTACHED

**Information Disclosure Statement**

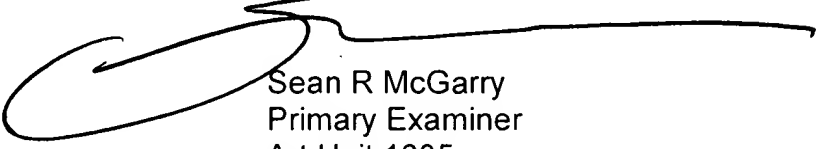
Please see the attached initialed and signed copy of the PTO-1449 filed 3/15/06. The examiner also thanks applicant for providing a faxed copy of the form PTOL-271 mailed to applicant 5/25/06. The IFW application file does not have an image of the form and applicants submission provides for a complete record.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean R. McGarry whose telephone number is (571) 272-0761. The examiner can normally be reached on M-Th (6:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Paras can be reached on (571) 272-4517. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1635

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Sean R McGarry  
Primary Examiner  
Art Unit 1635

---

**Duane Morris**

DUANE MORRIS LLP  
101 WEST BROADWAY, SUITE 900  
SAN DIEGO, CA 92101  
PHONE: 619.744.2200  
FAX: 619.744.2201

---

**FACSIMILE TRANSMITTAL SHEET**

---

**TO:** Examiner Sean McGarry  
USPTO

**FACSIMILE NUMBER:** 571-273-0761

**FROM:** Johann Y. Lin

**DATE:** July 7, 2006

**TOTAL # OF PAGES:** 4  
(INCLUDING COVERSHEET)

CONFIDENTIALITY NOTICE

THIS FACSIMILE TRANSMISSION IS PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE REVIEW OF THE PARTY TO WHOM IT IS ADDRESSED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY TELEPHONE THE SENDER ABOVE TO ARRANGE FOR ITS RETURN, AND IT SHALL NOT CONSTITUTE WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE.

If there is a problem with this transmission, please call us as soon as possible at 619-744-2294

**DuaneMorris**

FIRM and AFFILIATE OFFICES

DIRECT DIAL: 619.744.2253  
E-MAIL: [jylin@duanemorris.com](mailto:jylin@duanemorris.com)

[www.duanemorris.com](http://www.duanemorris.com)

July 7, 2006

**VIA FACSIMILE ONLY: 571-273-0761**

Examiner Sean McGarry  
United States Patent and Trademark Office  
P. O. Box 1450  
Alexandria, VA 22313-1450

NEW YORK  
LONDON  
LOS ANGELES  
CHICAGO  
HOUSTON  
PHILADELPHIA  
SAN DIEGO  
SAN FRANCISCO  
BOSTON  
WASHINGTON, DC  
LAS VEGAS  
ATLANTA  
MIAMI  
PITTSBURGH  
NEWARK  
ALLENTOWN  
WILMINGTON  
HARRISBURG  
PRINCETON  
LAKE TAHOE

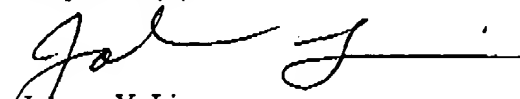
Re: U.S. Patent Application No. 09/890,363

Dear Examiner McGarry:

Pursuant to your request in our telephone conversation earlier today, enclosed is a copy of the PTO Form-271, dated May 25, 2006, acknowledging the entry of the 1.312 amendment filed on April 21, 2006 in its entirety.

If you have any further questions, or require any additional material to facilitate the advancement the above mentioned application to patent issuance, please feel free to contact our office.

Respectfully yours,

  
Johann Y. Lin

JYL/jf

DUANE MORRIS LLP

101 WEST BROADWAY, SUITE 900 SAN DIEGO, CA 92101  
DM21738979 1

PHONE: 619.744.2200 FAX: 619.744.2201

RECEIVED

E 3697-00005



UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 30 2006

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/890,363	11/02/2001	David Laurence Becker	HO-P02246US0	1593
53897	7590	03/25/2006	EXAMINER	
DUANE MORRIS LLP 101 WEST BROADWAY SUITE 900 SAN DIEGO, CA 92101-8285			MCGARRY, SEAN	
			ART UNIT	PAPER NUMBER
			1635	

DATE MAILED: 05/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

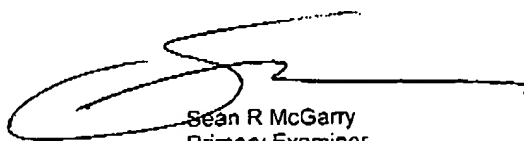


<b>Response to Rule 312 Communication</b>	Application No.	Applicant(s)	
	09/890,363	BECKER ET AL.	
	Examiner	Art Unit	
	Sean R. McGarry	1635	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

1. ☒ The amendment filed on 21 April 2006 under 37 CFR 1.312 has been considered, and has been:

- a) ☒ entered.
- b) ☐ entered as directed to matters of form not affecting the scope of the invention.
- c) ☐ disapproved because the amendment was filed after the payment of the issue fee.  
Any amendment filed after the date the Issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.
- d) ☐ disapproved. See explanation below.
- e) ☐ entered in part. See explanation below.

  
Sean R. McGarry  
Primary Examiner  
Art Unit: 1635